

PS 8
(8/88)

FILED BY  D.C.

United States District Court
for
Western District of Tennessee

05 JUN 16 PM 1:31

ROBERT R. DI TROLIO
CLERK, U.S. DIST. CT.
W.D. OF TN, MEMPHIS

U.S.A. vs. Dwayne Becton

Docket No. 04-20466-01 B

Petition for Action on Conditions of Pretrial Release

COMES NOW PRETRIAL SERVICES OFFICER Angela K. Yates presenting an official report upon the conduct of defendant who was placed under pretrial release supervision by the Honorable Tu M. Pham sitting in the court at Memphis, on the 10th day of December, 2004 under the following conditions:

- 1) Report as directed by the Pretrial Services Office.
- 2) Maintain or actively seek employment.
- 3) Travel restricted to the Western District of Tennessee and the Northern District of Illinois without prior approval of Pretrial Services.
- 4) Refrain from possessing a firearm, destructive device, or other dangerous weapon.
- 5) Refrain from excessive use of alcohol.
- 6) Refrain from any use or unlawful possession of a narcotic drug or other controlled substances.
- 7) Submit to any method of testing required by Pretrial Services for determining whether the defendant is using a prohibited substance.
- 8) Participate in substance abuse counseling or treatment if deemed advisable by Pretrial Services.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT AND FOR CAUSE AS FOLLOWS:
(If short insert here: if lengthy write on separate sheet and attach)

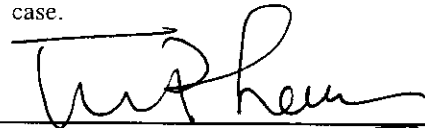
SEE ATTACHMENT

PRAYING THAT THE COURT WILL ORDER the issuance of a warrant that Dwayne Becton may appear and show cause as to why his bond should not be revoked.

BOND RECOMMENDATION: No Bond / Detention

ORDER OF COURT

Considered and ordered this 16
day of June, 2005 and ordered
filed and made a part of the records in the above
case.



U.S. District Judge/Magistrate

I declare under penalty of perjury that the
foregoing is true and correct.

Executed on
June 14, 2005



U.S. Pretrial Services Officer

Place Memphis, TN

BECTON, DWAYNE

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Since Mr. Becton's release, he has not complied with the following conditions of pretrial release:

1) Report as directed by the Pretrial Services Office

Dwayne Becton resides in Harvey, Illinois, and, as such, is supervised by the U.S. Pretrial Services Office for the Northern District of Illinois. Mr. Becton failed to report to their office by telephone as directed on February 23, 2005. The defendant also failed to report by telephone for the month of May 2005. Officer Assistant Tramonte's calls to the defendant's home were not returned by the defendant or his father.

2) Refrain from any use or unlawful possession of a narcotic drug or other controlled substances

Defendant Becton submitted urinalysis specimens on January 19, 2005, and February 18, 2005, that tested positive for marijuana.

3) Submit to any method of testing required by the Pretrial Services Office for determining whether the defendant is using a prohibit substance.

On January 18, 2005, Dwayne Becton was directed by U.S. Pretrial Services Officer Assistant Carla Tramonte in the Northern District of Illinois to submit a urinalysis specimen for testing. Mr. Becton left the Pretrial Services Office without submitting the urinalysis specimen. According to Officer Assistant Tramonte, she contacted the defendant and directed him to report for a drug screen on January 19, 2005. Defendant Becton also failed to report as directed for a drug screen on May 16, 2005.

4) Participate in a program of inpatient or outpatient substance abuse testing, education, or treatment if deemed advisable by Pretrial Services.

On April 12, 2005, the defendant was schedule to meet with Laura Marquez, Drug and Alcohol Treatment Officer for the Northern District of Illinois, for a drug treatment assessment. Mr. Becton failed to appear for the scheduled assessment. Officer Assistant Tramonte contacted the defendant, admonished him for failing to show for the assessment, and rescheduled the assessment for April 13, 2005. Defendant Becton did show for the assessment on April 13, 2005, but he declined drug treatment. At that time, the defendant was instructed to attend two twelve-step meetings per week. Defendant Becton failed to provide any proof that he attended the required meetings.

5) Maintain or actively seek employment.

On February 18, 2005, the defendant reported that he had been working at Vector Marketing in Orland Park, Illinois, for two weeks. However, Officer Assistant Tramonte contacted Vector Marketing and they indicated that the defendant worked there only one day and then quit. Officer Assistant Tramonte referred the defendant to the SAFER Foundation which is an employment agency that works with offenders to help them find employment. Defendant Becton advised Officer Assistant Tramonte that he attended the SAFER Foundation and that he did not like it because it required that the defendant complete a six-week program on job skills, communication, and interviewing.

6) The defendant shall not commit any offense in violation of federal, state, or local law while on pretrial release.

On April 26, 2005, the defendant was arrested by the Chicago Police Department for Possession of Cocaine - Less than 15 Grams (felony). The Arrest Report in the above case alleged the following. On April 26, 2005, officers were conducting surveillance at a location due to reports of "narcotics sales". Officers observed the defendant outside of the location flag down a vehicle. The defendant approached the subject in the vehicle with a clear plastic bag in his hand containing what appeared to be narcotics and the subject in the vehicle approached the defendant with United States currency in hand. When officers attempted to approach the defendant, he dropped the bag and fled on foot. On June 8, 2005, the defendant entered a guilty plea to the charge and was sentenced to 30 months in the Illinois Department of Corrections.



Notice of Distribution

This notice confirms a copy of the document docketed as number 37 in case 2:04-CR-20466 was distributed by fax, mail, or direct printing on June 16, 2005 to the parties listed.

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Honorable J. Breen
US DISTRICT COURT